

(A) IN GENERAL.—Subject to subparagraph (B), a capital construction grant may not exceed 50 percent of the total cost of the project for which the grant is awarded.

(B) MAXIMUM FEDERAL INVOLVEMENT.—Federal assistance other than a capital construction grant may be used to satisfy the non-Federal share of the cost of a project for which the grant is awarded, except that the total Federal assistance provided for a project for which the grant is awarded may not exceed 80 percent of the total cost of the project.

(7) COMMUNITY ADVISORY BOARD.—

(A) IN GENERAL.—To help achieve inclusive economic development benefits with respect to the project for which a grant is awarded, a grant recipient may form a community advisory board, which, if formed, shall—

(i) facilitate community engagement with respect to the project; and

(ii) track progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development under the project.

(B) MEMBERSHIP.—If a grant recipient forms a community advisory board under subparagraph (A), the community advisory board shall be composed of representatives of—

(i) the community, including residents in the immediate vicinity of the project;

(ii) owners of businesses that serve the community;

(iii) labor organizations that represent workers that serve the community;

(iv) State and local government; and

(v) private and nonprofit organizations that represent local community development.

(C) DIVERSITY.—The community advisory board formed under subparagraph (A) shall be representative of the community served by the project.

(e) PRIORITIES.—In selecting recipients of planning grants, capital construction grants, and technical assistance under this section, the Secretary shall give priority to—

(1) an application from a community that is economically disadvantaged or high risk of displacement, including an environmental justice community, an underserved community, or a community located in an area of persistent poverty; and

(2) an eligible entity that has—

(A) entered into a community benefits agreement with representatives of the community or formed a community advisory board under paragraph (7) of subsection (d);

(B) demonstrated a plan for employing residents in the area impacted by the activity or project through targeted hiring programs; and

(C) demonstrated a plan for improving transportation system access.

(f) ADMINISTRATIVE EXPENSES.—Of the amounts made available to carry out this section, the Secretary may set aside not more than 2 percent for the costs of administering the program under this section.

(g) REPORTS.—

(1) USDOT REPORT ON PROGRAM.—Not later than January 1, 2026, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) evaluates the program under this section; and

(B) that—

(i) includes information about the level of applicant interest in planning grants, technical assistance under subsection (c)(3), and capital construction grants, including the extent to which overall demand exceeded available funds;

(ii) includes, for recipients of capital construction grants, the outcomes and impacts of the projects carried out with the grant, including—

(I) any changes in the overall level of mobility, congestion, access, and safety in the project area; and

(II) environmental impacts and economic development opportunities in the project area;

(iii) assesses projects funded under subsection (d) to provide best practices.

(2) GAO REPORT ON HIGHWAY REMOVALS.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall issue a report that—

(A) identifies examples of projects to remove highways using Federal highway funds;

(B) evaluates the effect of highway removal projects on the surrounding area, including impacts to the local economy, congestion effects, safety outcomes, and impacts on the movement of freight and people;

(C) evaluates the existing Federal-aid program eligibility under title 23, United States Code, for highway removal projects;

(D) analyzes the costs and benefits of and barriers to removing underutilized highways that are nearing the end of their useful life compared to replacing or reconstructing the highway; and

(E) provides recommendations for integrating those assessments into transportation planning and decision-making processes.

(3) ELIGIBILITY GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish guidance describing the eligibility of funds apportioned under section 104(b) of title 23, United States Code, for activities eligible for assistance under this section.

(h) TECHNICAL ASSISTANCE.—Of the funds made available to carry out this section for planning grants, the Secretary may use not more than \$15,000,000 during the period of fiscal years 2022 through 2026 to provide technical assistance under subsection (c)(3).

SA 2177. Mr. COONS (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —DRIVING FOR OPPORTUNITY

SEC. 01. SHORT TITLE.

This title may be cited as the “Driving for Opportunity Act of 2021”.

SEC. 02. FINDINGS.

Congress finds the following:

(1) Driving a vehicle is an essential aspect of the daily lives of most people in the United States.

(2) Driving is often required to access jobs and healthcare, take care of family, get groceries, and fulfill other basic responsibilities.

(3) In many small cities, towns, and rural areas that do not have public transportation and ridesharing alternatives, driving is often the only realistic means of transportation.

(4) Even in cities with public transportation and ridesharing options, individuals

vulnerable to infection during the COVID-19 pandemic and those complying with public health guidance regarding social distancing are increasingly reliant on driving as their primary means of transportation for essential travel.

(5) In the United States, millions of Americans have had their driver's licenses suspended for unpaid court fines and fees.

(6) A person whose driver's license is suspended or revoked for unpaid fines and fees will often find it more difficult to earn a living and therefore pay the debt owed to the government.

(7) The barrier to employment posed by driver's license suspensions and revocations for unpaid fines and fees is especially problematic during the COVID-19 pandemic, when the unemployment rate is the highest it has been since the Great Depression.

(8) Drunk and dangerous driving are some of the leading causes of death and serious bodily injury in the United States, and promoting safety on the roads is a legitimate, necessary, and core governmental function. Suspending a license for unsafe driving conduct presents different considerations than suspending a license for unpaid fines and fees. Suspending a license for unsafe driving is an appropriate tool to protect public safety. Policymakers also may consider alternatives to suspension of a license for unsafe driving such as ignition interlock device programs.

(9) According to the National Highway Traffic Safety Administration, every year on average, over 34,000 people are killed and 2,400,000 more people are injured in motor vehicle crashes. Some of the major causes of these crashes include speeding, impaired driving, and distracted driving. Nearly half of passenger vehicle occupants killed in crashes are unrestrained. The societal harm caused by motor vehicle crashes has been valued at \$836,000,000,000 annually. The enactment of, enforcement of, and education regarding traffic laws are key to addressing unsafe behavior and promoting public safety.

(10) However, most driver's license suspensions are not based on the need to protect public safety.

(11) In the State of Florida, 1,100,000 residents received a suspension notice for unpaid fines and fees in 2017 alone.

(12) Between 2010 and 2017, all but 3 States increased the amount of fines and fees for civil and criminal violations.

(13) In the United States, 40 percent of all driver's license suspensions are issued for conduct that was unrelated to driving.

(14) In 2015, the State of Washington calculated that State troopers spent 70,848 hours dealing with license suspensions for non-driving offenses.

(15) The American Association of Motor Vehicle Administrators estimated that arresting a person for driving with a suspended license can take 9 hours of an officer's time, including waiting for a tow truck, transporting an individual to jail, filling out paperwork, making a court appearance, and other administrative duties and accordingly Washington State Patrol Chief John Batiste called non-driving suspensions a “drain on the system as a whole”.

(16) The Colorado Department of Motor Vehicles determined that suspending driver's licenses for offenses unrelated to driving consumed 8,566 hours per year of staff time in the Department.

(17) Many States impose a significant fee for reinstating a suspended driver's license, such as Alabama, where the fee is \$275.

(18) Driving on a suspended license is one of the most common criminal charges in jurisdictions across the country.

(19) Seventy-five percent of those with suspended licenses report continuing to drive.

(20) It is more likely that those people are also driving without insurance due to the costs and restrictions associated with obtaining auto insurance on a suspended license, thereby placing a greater financial burden on other drivers when a driver with a suspended license causes an accident.

(21) The American Association of Motor Vehicle Administrators has concluded the following: “Drivers who have been suspended for social non-conformance-related offenses are often trapped within the system. Some cannot afford to pay the original fines, and may lose their ability to legally get to and from work as a result of the suspension. Many make the decision to drive while suspended. The suspension results in increased financial obligations through new requirements such as reinstatement fees, court costs, and other penalties. While there is a clear societal interest in keeping those who are unfit to drive off the roads, broadly restricting licenses for violations unrelated to an individual’s ability to drive safely may do more harm than good. This is especially true in areas of the country that lack alternative means of transportation. For those individuals, a valid driver license can be a means to survive. Local communities, employers, and employees all experience negative consequences as a result of social non-conformity suspensions, including unemployment, lower wages, fewer employment opportunities and hiring choices, and increased insurance costs.”

(22) A report by the Harvard Law School Criminal Justice Policy Program concluded the following: “The suspension of a driver’s or professional license is one of the most pervasive poverty traps for poor people assessed a fine that they cannot afford to pay. The practice is widespread. Nearly 40 percent of license suspensions nationwide stem from unpaid fines, missed child support payments, and drug offenses—not from unsafe or intoxicated driving or failing to obtain automotive insurance. Suspension of a driver’s or professional license is hugely counterproductive; it punishes non-payment by taking away a person’s means for making a living. License suspension programs are also expensive for States to run and they distract law enforcement efforts from priorities related to public safety. License suspensions may also be unconstitutional if the license was suspended before the judge determined the defendant had the ability to pay the criminal justice debt.”

SEC. ____ 03. GRANTS FOR DRIVER’S LICENSES REINSTATEMENT PROGRAMS.

Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.) is amended—

(1) in section 501(a) (34 U.S.C. 10152(a)), by adding at the end the following:

“(3) GRANTS FOR DRIVER’S LICENSE REINSTATEMENT PROGRAMS.—

“(A) IN GENERAL.—In addition to grants made under paragraph (1), the Attorney General may make grants to States described in subparagraph (B) to cover costs incurred by the State to reinstate driver’s licenses previously suspended for unpaid fines and fees.

“(B) STATES DESCRIBED.—A State described in this subparagraph is a State that—

“(i) does not have in effect any State or local law that permits—

“(I) the suspension or revocation of, or refusal to renew, a driver’s license of an individual based on the individual’s failure to pay a civil or criminal fine or fee; or

“(II) the refusal to renew the registration of a motor vehicle based on the owner’s failure to pay a civil or criminal fine or fee; and

“(ii) during the 3-year period ending on the date on which the State applies for or receives a grant under this paragraph, has repealed a State or local law that permitted

the suspension or revocation of, or refusal to renew, driver’s licenses or the registration of a motor vehicle based on the failure to pay civil or criminal fines or fees.

“(C) CRITERIA.—The Attorney General shall award grants under this section to eligible States that submit a plan to reinstate driver’s licenses previously suspended for unpaid fines and fees—

“(i) to maximize the number of individuals with suspended driver’s licenses eligible to have driving privileges reinstated or regained;

“(ii) to provide assistance to individuals living in areas where public transportation options are limited; and

“(iii) to ease the burden on States where the State or local law described in subparagraph (B) was in effect during the 3-year period ending on the date on which a State applies for a grant under this paragraph in accordance with section 502.

“(D) AMOUNT.—Each grant awarded under this paragraph shall be not greater than 5 percent of the amount allocated to the State in accordance with the formula established under section 505.

“(E) REPORT.—Not later than 1 year after the date on which a grant is made to a State under this paragraph, the State shall submit to the Attorney General a report that describes the program implemented under subparagraph (A), including with respect to—

“(i) the population served by the program;

“(ii) the number of driver’s licenses reinstated under the program; and

“(iii) all costs to the State of the program, including how the grants under this paragraph were spent to defray such costs.”; and

(2) in section 508—

(A) by striking “There” and inserting “(a) In General.—There”; and

(B) by adding at the end the following:

“(b) DRIVER’S LICENSE REINSTATEMENT PROGRAMS.—There is authorized to be appropriated to carry out section 501(a)(3) \$20,000,000 for each of fiscal years 2021 through 2025.”

SEC. ____ 04. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the implementation of the grant program in paragraph (3) of section 501(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)), as added by section [____] 03(a) of this Act, that—

(1) includes what is known about the effect of repealing State laws, in selected States, that had permitted the suspension or revocation of, or refusal to renew, driver’s licenses or the registration of a motor vehicle based on the failure to pay civil or criminal fines or fees, including such factors, to the extent information is available, as—

(A) the collection of fines and fees;

(B) the usage of law enforcement resources;

(C) economic mobility and unemployment;

(D) rates of enforcement of traffic safety laws through the tracking of number of summonses and violations issued (including those related to automated enforcement technologies);

(E) the use of suspensions for public safety-related reasons (including reckless driving, speeding, and driving under the influence);

(F) safety-critical traffic events (including in localities with automated enforcement programs);

(G) the rates of license suspensions and proportion of unlicensed drivers;

(H) racial and geographic disparities; and

(I) administrative costs (including costs associated with the collection of fines and fees and with the reinstatement of driver’s licenses); and

(2) includes what is known about—

(A) existing alternatives to driver’s license suspension as methods of enforcement and collection of unpaid fines and fees; and

(B) existing alternatives to traditional driver’s license suspension for certain kinds of unsafe driving, including models that allow drivers to continue to drive legally while pursuing driver improvement opportunities.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary and the Committee on Environment and Public Works of the Senate and the Committee on the Judiciary and the Committee on Transportation and Infrastructure a report on the study required under subsection (a).

SA 2178. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. ____ OPEN NETWORK ARCHITECTURE.

(a) OPEN NETWORK ARCHITECTURE TESTBED.—

(1) DEFINITIONS.—In this subsection—

(A) the term “Applied Research Open-RAN testbed” means the testbed established under paragraph (2);

(B) the term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information; and

(C) the term “NTIA” means the National Telecommunications and Information Administration.

(2) ESTABLISHMENT.—The Assistant Secretary shall establish an applied research open network architecture testbed at the Institute for Telecommunication Sciences of the NTIA to develop and demonstrate network architectures and applications, equipment integration and interoperability at scale, including—

(A) Open Radio Access Network (commonly known as “Open-RAN”) technology;

(B) Virtualized Radio Access Network (commonly known as “vRAN”) technology; and

(C) cloud native technologies that replicate telecommunications hardware as software-based virtual network elements and functions.

(3) FOCUS; CONSIDERATIONS.—In establishing the Applied Research Open-RAN testbed pursuant to this subsection, the Assistant Secretary shall ensure that such testbed evaluates issues related to deployment and operation of open network architectures in rural areas.

(4) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—The Assistant Secretary shall enter into cooperative research and development agreements as appropriate to obtain equipment, devices, and expertise for the Applied Research Open-RAN testbed, in accordance with section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(5) PRIVATE SECTOR CONTRIBUTIONS.—The Assistant Secretary may accept private contributions to the Applied Research Open-RAN testbed in the form of network equipment or devices for testing purposes.